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## FACSIMILE TRANSMISSION

DATE: May 11, 2010

FILE: WH-11979 US

TO: THE COMMISSIONER OF PATENTS AND TRADEMARKS

ATTN: Examiner Milap Shah

ART UNIT: 3714

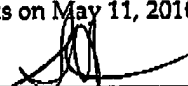
FAX NO.: (571) 273-8300

FROM: S. WARREN HALL

TOTAL NO. OF PAGES

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**MESSAGE:** This Notice of Appeal is in response to the Final Action dated November 12, 2009 for US Application SN 10/809,329 and is being transmitted by facsimile to The Commissioner of Patents and Trademarks on May 11, 2010.

  
\_\_\_\_\_  
Sarah J. Hennessey, Assistant to  
S. Warren Hall, Registration No. 30,350  
Agent on behalf of Applicant  
tel. (416) 368-8313

If you do not receive all pages, please call: Sarah J. Hennessey, ext. 147 at (416) 368-8313.

### CONFIDENTIALITY NOTICE

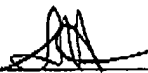
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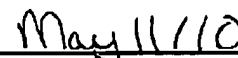
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**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper for S.N. 10/809,329 is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on the date shown below.

  
\_\_\_\_\_  
Sarah Hennessey  
Facsimile No. (416) 368-1645

  
\_\_\_\_\_  
May 11, 2010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	Valery Levitan et al.
For:	GAME SYSTEM FOR HANDHELD PERSONAL DEVICES
Serial No.:	10/809,329
Filed:	March 26, 2004
Art Unit:	3714
Our Reference:	WH-11 979US

133 Richmond Street West  
Toronto, Ontario M5H 2L7

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA  
U.S.A. 22313-1450

May 11, 2010

Attention: Examiner Milap Shah

Dear Sir:

**NOTICE OF APPEAL**

A Final Action dated 11/12/2009 was received with respect to the above-identified application. Claims 1-8, 11, 12, 14-16, and 18-24 are pending in the application and were rejected as being obvious in light of Emmerson US Patent Application No. 2002/0103019 in combination with a number of further references.

The Applicant encloses herewith a Notice of Appeal of the rejection of all of the above claims.


Also enclosed is a three month extension of time under 37 CFR 1.136(a).

Application No. 10/809,329  
Notice of Appeal dated May 11, 2010  
Reply to Final Action of November 12, 2009

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The enclosed forms provide authorization for the various fees to our deposit account as a small entity.

Respectfully submitted,



Agent on behalf of Applicant  
S. Warren Hall  
Registration No. 30,350  
(416) 368-8313

WH/sjh  
Encl.